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SUBJECT: DELAYS RAISE CONCERNS AT AEC NATIONAL ASSEMBLY MEETING

REF:

¶1. (U) SUMMARY: In a July 16 Assessment and Evaluation Committee (AEC) meeting at the National Assembly, the chairman, Mr. Tom Vraalsen, and international observers expressed their concerns and questions about delays in the formation of the Political Parties Commission and National Civil Service Commission and the overall slow rate of legislation. Responding to these and other concerns, representatives from the Sudan People's Liberation Movement (SPLM) and National Congress Party (NCP) stated that the National Assembly values consensus over voting and stated that many important acts are almost complete. Occurring one week after the second anniversary of the signing of the Interim National Constitution, this AEC meeting provided an opportunity to reflect on the overall implementation of the Comprehensive Peace Agreement (CPA), and signaled that the Government of National Unity's (GNU's) deadlines for this implementation grow closer with each passing day. END SUMMARY.

¶2. (U) After an overview of the National Assembly's work by Ghazi Salahudin (NCP) and Aligo Manoa (SPLM,) Chairman Vraalsen expressed his concern about the length of time taken by the Presidency to establish both the Political Parties and National Civil Service commissions. The National Assembly passed each of these bills in February 2007 and neither commission has yet been formed. Vraalsen added that six months is too long to form the Political Parties commission, and if this commission's formation is delayed much longer, there may be consequences for the timeframe of elections as a whole. SPLM representatives seconded Vraalsen's concerns. (NOTE: The Political Parties Act required the Political Affairs Commission to be established 90 days after the act was passed by parliament. A functioning commission is a prerequisite for elections. All political parties must register with the commission in order to participate in the 2009 elections. END NOTE.)

¶3. (U) International observers also asked for more information regarding which bodies are responsible for initiating and drafting laws. SPLM and NCP representatives stated that there is no single mechanism for drafting or initiating laws, adding that the Council of States, the Executive Committee, and different ministries have all been involved in the legislative process. They stated that many laws are based off of existing laws, with drafting privileges given to the particular ministry affected. For example, the Sudanese police helped draft and provide technical assistance for the National Police Act, which will likely be passed in the next session. They added that on other occasions the Council of Ministers or presidential decrees have provided the initial impetus and/or language for particular bills. SPLM representatives noted that one delay on the Political Parties Act was the requirement that all parties commit themselves to the CPA. "This is a requirement we insist on," they noted.

¶4. (U) International observers also voiced their concerns about the slow pace of legislation and its potential impact on the overall timeframe designated by the CPA. Of the 47 laws designated for revision by the Ministry of Justice, only seven have been reviewed

and enacted into law by the National Assembly. SPLM and NCP representatives stated that in addition to the laws passed by the assembly, there has been significant progress on a number of other acts, the following of which have almost been finalized in draft by the National Assembly: the Human Rights Act, the National Security Act, and the National Police Act. These representatives urged international observers not to concentrate on the number of bills that remain, adding that a large number of bills require little revision and will be quickly passed. When Chairman Vraalsen and others voiced their concerns about the delay on the Media and Press law, one representative from the National Assembly responded that due to the relative freedom of press in Sudan, observers should not be too concerned about its delay.

¶5. (U) SPLM and NCP representatives reported that the National Assembly values consensus over voting, stating that the latter is used only as "a last resort." They acknowledged that some observers "say the Assembly is not effective, but we are doing our best in the framework given." This consensus-building slows down the work of lawmaking even though NCP/SPLM represents 80% of the National Assembly's members.

¶6. (U) Draft minutes and the following handouts from the July 16 meeting have been e-mailed to the Sudan Programs Group:

- Overview on the work of the National Legislature and its two Chambers
- Overview on the work and organization of the Council of States
- Overview on the Council Performance
- Agreements passed by the National Assembly on December 14th, 2006 and to date
- Bills passed by the National Assembly from December 2006 until July 2007
- Report of the Peace and National Reconciliation Committee on the position of CPA implementation
- laws for the 5th National Assembly Session

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